(3) that the Forest Rules should be confined to the administration of the real forests and should, on no account, be made applicable to the cardamom growing areas ; and

(4) that the Anjanad ryots be permitted to resort to hill cultivation as before.

Dewan's reply.—Noted.

16. Damage done to estates by wild elephants.

Mr. W. A. J. Milner (Member, Central Travancore Planters' Association) who was permitted to represent his Association in the place of Mr. Robert Tait first elected, submitted that considerable damage was done to estates in the planting districts by wild elephants. The damage had been very serious of late everywhere, especially in Vandiperiyar and its neighbourhood, it having amounted to a considerable sum. It did not seem fair that money invested to the benefit of the country should be liable to be lost in that manner and there was no doubt that elephants were steadily increasing in number of recent years, so that urgent action was required, if the evil was to be checked in time.

It was true that, under Section 46 of the Forest Regulation, owners of private property had the right to shoot elephants trespassing on their lands. But planters did not avail themselves of the right, because the Forest Department was in the habit of prosecuting them, if they did so. The Member, therefore, proposed that the second exemption under Section 46 be amended as follows, *viz.*:—

"That persons shooting or wounding elephants in self-defence or for the protection of property shall be exempted from punishment *as well as persons shooting or wounding elephants in reasonable proximity to their property.*"

The Member submitted that, in any case, there should be an immediate enquiry, before prosecution, conducted on the spot by a Magistrate or other responsible person.

Dewan.—I suppose that it is done even now by the Divisional Forest Officer.

Member.—I understand that it is a very subordinate officer that is doing this work. I think that the Mahazar at least should be written by a responsible officer of the department.

The Member concluded by saying that, if adequate protection on the lines suggested could not be given, Government should grant full compensation for all damage done to property.

Dewan's reply.—The Commissioner, Devicolam Division, and the Conservator of Forests, will be consulted before any action is taken.

17. Need for promulgating rules under the Game and Fish Protection Regulation with a view to render its provisions effective.

Mr. A. J. Wright (Member, Kannan Devan Planters' Association) said that, for the past seven years, the subject of Game laws had been before the Assembly in one form or another. He then explained the history of the present legislation on the subject and observed that his object was to draw the attention of Government to the absence of rules contemplated in the Regulation. Last year, the Dewan replied that draft rules had been received from the Conservator of Forests and the Commissioner of Devicolam and were under the consideration of Government. But, so far, nothing had been done.

Dewan.—The question has been referred to the Head Sirkar Vakil for his opinion.

The Member thanked the Dewan and observed that the delay in passing the rules was very much regretted, for no one could prevent the promiscuous slaughter of game going on now.

The Member then referred to his representations at the 9th and 13th sessions of the Assembly when the various aspects of the matter were dealt with. Between the years 1908 and 1913, the Association had spent about Rs. 5,000 in introducing trout into

LIBRARY ARCHIVES Kerala Legislative Assembly